

Minneapolis Planning Department
350 South Fifth Street, Room 210
Minneapolis, MN 55415-1385
(612) 673-2597 Phone
(612) 673-2728 Fax
(612) 673-2157 TDD

MEMORANDUM

DATE: February 5, 2002

TO: Gary Schiff, Zoning and Planning Committee Chair
Zoning and Planning Committee Members

FROM: Kimberly Tollefson, City Planner
612.673.2998

RE: Appeal: Great Brakes at 3326 University Avenue

Appeal: Site Plan Review (BZZ-369). Great Brakes, 3326 University Avenue (Ward 2):
Appeal by PPERRIA, Inc, of site plan review from decision of Planning
Commission, which allowed 12% landscaping.

Background: The Planning Commission approved the application for a site plan review with conditions. At the January 22, 2002 Zoning and Planning Committee meeting, the Committee members requested that the applicant and the neighborhood group meet with Council Member Zerby to reach consensus on the debated issues including signage, landscaping and building wall compatibility.

Since that time, the various stakeholders have met and agreed on the following:

- A structural engineer will certify the construction and work required for the retaining wall at the rear of the site. The engineer shall keep as many trees as possible.
- The landscaping plan shall be reviewed and approved by the Planning Department with consultation from the City's landscape consultant. The landscaping shall be densely packed. The planting beds shall be defined and include mulch as ground cover. The northwest corner shall be a focal point of landscaping, lighting and/or other amenities with the potential for a seating area.
- A snow removal plan shall be required if the area dedicated for snow removal at the rear of the site is inadequate.
- The colors of the new Great Brakes building wall sign shall be black lettering on a white face.
- The applicant shall provide the neighborhood group with a letter of intent to paint the building within three to five years. The new paint for each building shall be harmonious in color yet allows for distinction between each use.

#2

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350 South Fifth Street, Room 210
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MEMORANDUM

DATE: January 22, 2002

TO: Gary Schiff, Zoning and Planning Committee Chair
Zoning and Planning Committee Members

FROM: Kimberly Tollefson, City Planner
612.673.2998

RE: Appeal: Great Brakes at 3326 University Avenue

Appeal: Site Plan Review (BZZ-369). Great Brakes, 3326 University Avenue
(Ward 2): Appeal by PPERRIA, Inc, of site plan review from decision of
Planning Commission, which allowed 12% landscaping.

Background: The Planning Commission approved the application for a site plan review
with conditions. The conditions of approval are stated in the attached meeting minutes.



Office of Zoning Administration
250 South 4th St. Room 300
Minneapolis MN 55415-1318
612-673-5836
Fax 612-673-3173

Notice of exception
To the Decision of the City Planning Commission

A complete application¹ shall be filed in the zoning office by 4:30 p.m. within ten (10) calendar days of the date of decision by the city planning commission.

MAILING/OFFICE ADDRESS:

Zoning Administrator
Office of Zoning Administration
Public Service Center
250 S. 4th St. Room 300
Minneapolis MN 55415-1318
Office: 612-673-5867
Fax: 612-673-3173

Date: Dec 21, 2001
RE: 3326 University Avenue S
(address)

File No. BZZ-369

(For PPERKIN, Inc)

I, Florence Littman do hereby file an exception to the Decision of the City Planning Commission as provided for in Chapter 525.180;

525.180. Appeals of decisions of the city planning commission or board of adjustment. All decisions of the city planning commission, except zoning amendments, and all decisions of the board of adjustment shall be final subject to appeal to the city council and the right of subsequent judicial review. Appeals may be initiated by any affected person by filing the appeal with the zoning administrator on a form approved by the zoning administrator. All appeals shall be filed within ten (10) calendar days of the date of decision by the city planning commission or board of adjustment. No action shall be taken by any person to develop, grade or otherwise alter the property until expiration of the ten-day appeal period and, if an appeal is filed pursuant to this section, until after a final decision has been made by the city council. Not less than ten (10) days before the public hearing to be held by the zoning and planning committee of the city council to consider the appeal, the zoning administrator shall mail notice of the hearing to the property owners and the registered neighborhood group(s) who were sent notice of the public hearing held by the city planning commission or the board of adjustment. The failure to give mailed notice to individual property owners, or defects in the notice, shall not invalidate the proceedings provided a bona fide attempt to comply with this section has been made.
(2000-Or-034, § 2, 5-19-2000)

Further, I do hereby request that I be given an opportunity to express by case before the proper committee of the Honorable City Council.
The action being appealed and the reasons for appealing the decision are attached and made a part of this notice of exception.

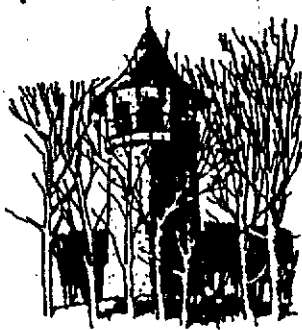
Sincerely,

(Name) Florence Littman

(Address) 76 Clarence Avenue S

(Telephone) 331-2970

¹ Complete Application - includes a completed application form and attached statement explaining the basis for appeal, correct fee and mailing labels
BZZ-



PPERRIA

Prospect Park and East River Road Improvement Association, Inc.

December 21, 2001

To: Members of the Zoning and Planning Committee 12
From: Florence Littman, PPERRIA, Inc. Zoning Committee Co-chair
Subject: Great Brakes, 3326 University Avenue SE—Appeal of Planning Commission Site Plan Approval

The Prospect Park East River Road Improvement Association, Inc. appeals the approval of this site plan. Great Brakes site plan does not meet the percentage of landscaping required or the number of trees and shrubs required. This meager landscaping will not screen the parking area from University Avenue. The plan does not address the incompatible facades of the two businesses or the negative impact of this site at the gateway to Minneapolis from St. Paul.

- The proposed landscaping is 12%. The Zoning Code requires 20% landscaping. It is not even close to what is required. There is a very steep hill with some trees behind the building. Although there are some trees clinging to this hill, it is not a "landscaped area." The applicant proposes to build a retaining wall in this area. This may destroy many of the trees.
- The Zoning Code requires 31 trees and 156 shrubs. The Planning Commission approved the site plan with only 15 trees, one half of the requirement, and 55 shrubs, approximately one third of the requirement. 63 daylilies were included in the applicant's 118 count of shrubs.

We believe that the site should comply with the landscaping and screening requirements or do an alternate compliance. We suggest the following alternate compliance:

- A superior landscaping plan with a greater variety of materials and larger specimens,
- Compatibility between the facades of the 2 businesses,
- Compatibility between the Great Brakes signage and the building.

Great Brakes is painted brown and beige with new yellow and black signs. This sign was installed without a permit and before the 10 day appeal period had expired. The other auto related use is painted white with a deep blue and green stripe. Ignoring the incompatible facades and signage does not mitigate these the negative impacts on the nearby residential area. After years of being subjected to the visual pollution of this site we finally have an opportunity to improve it. We have not had this opportunity before. Your support of compliance with the landscape and screening provisions of the Zoning Code or alternate compliance will be greatly appreciated by all of us who have endured the visual pollution of this site for years.

Thank you for the opportunity to appeal this matter.

Founded in 1901 - The Oldest Neighborhood Association in Minneapolis

**Excerpt from the
Tuesday, December 11, 2001
CITY PLANNING COMMISSION
MINUTES
220 City Hall
Minneapolis, Minnesota 55415
4:30 p.m.**

18. 3326 University Avenue Southeast (2nd Ward - BZZ-369, Site Plan Review)

Application by Jim Trapp for site plan review of Great Brakes, an auto body repair garage. (Staff, Kim Tollefson)

Kim Tollefson presented the staff report.

The public hearing was opened.

Phillip Anderson, 133 Malcolm Av. SE, Prospect Park/East River Road Improvement Association Zoning Committee member, indicated that he had worked in construction and when you look at the (revised) plans, they looked very much like the other ones. He had concerns in four areas. First, at the back of the property there was an existing slope that was about 45 degrees and they were cutting into that slope about 10-15 feet. On the plans that he had seen, there was no indication of what was going to support that slope. Their concern, which was reflected in the letter they were submitting, was that once the slope was cut into, it would be subject to wash down and there was no indication of a retaining wall. He wanted to preface his remarks, that this issue had been on the table since July, 1999 and the plans were not developed until the businesses were shut down. The owner had, until the businesses were shut down, failed to deal with the City and with the neighborhood and he thought that should be taken into consideration when they made their request. The second issue was that in the Planning report, none of the landscaping met the minimum criteria. His recollection was that the criteria was 20% and they had 12% landscaping. They were getting about 2/3 of what was required by the City. The third issue was that they showed a dumpster enclosure that was not detailed and that had been dealt with by saying that all of the trash would be kept inside the building. That puts the onus on the neighborhood when they have trash outside the building to bring it to the City's attention, and given what the property has done the last two years, he thought that would be a concern because the owner of the property had not dealt with the City on a truthful basis. The last item was a power pole relocation that was shown on the plan. There was a letter that they hadn't seen that said that the power pole would be relocated. He wouldn't believe it (based on his experience) unless the letter came from the utility company saying that they were going to relocate the power pole. He didn't think a promise from the owner was required. The neighborhood requested that this be postponed until the structural issues, the dumpster issue and some negotiating on the landscaping could be done between the City and the neighborhood.

Florence Littman, 76 Clarence Av. SE, member of Prospect Park/East River Road Improvement Association, Zoning Committee Co-Chair, stated that the neighborhood was asking that this be postponed because given the history of the site, they liked to have everything on paper so there was no mistake. It appeared from the report that there was only 12% landscaping and they didn't think anyone should have 12% landscaping when 20% was required. If there were some extenuating circumstances, then there should be alternate compliance. There was a lot of room on the site for alternate compliance. The buildings were painted different colors, they were horrible. The signage was atrocious. There were lots of things that could be done. For that they needed time. They had worked with the tenant, who unfortunately was in the middle of this which was not of his making, they had been able to continue working and the neighborhood supported the tenant being able to continue to work. Since July of 1999 they felt they could wait a little longer, get it all down on paper and work on either the 20% landscaping or some alternate compliance.

Mike Black, 265 7th St. W, St. Paul, representing the applicant, Great Brakes who was the tenant. They were the applicant because his client was the one who suffered the consequences of the revocation of the last site plan approval due to compliance failure. In working with the City to get his client reopened they had followed a fast track. They have been requested to move this along much faster and in fact, filed their initial application for this site plan review the first week of October. They have done everything staff had asked them to do in terms of revising the plan. They met with the neighborhood, met with Public Works and did everything on a fast track because it was their impression from the neighborhood group and the City that they wanted this done quickly, which was reflected in the recommendation that the deadline for completion of the improvements be in July of next year. In terms of compliance with City requirements, they relied on staff to tell them what the plan was to provide for landscaping. It appeared that the plan complied and they were asking that the Commission approve the plan. The question of compliance and enforcement became another matter after the plan was approved. A lot of the issues that had been raised concerning the plan by the neighborhood group dealt with issues of compliance and their experience with this particular land owner rather than the merits of the plan itself. On the issue of the dumpster enclosure, there was plenty of room inside the building to hold a dumpster. He was at the site before the meeting and a place had been provided on the interior in one of the service bays and there was plenty of room for the dumpster. There was no paving outside the area and there was no way of pushing it in and out, but as soon as the paving is completed and the plan executed, it shouldn't be a problem for the tenant to comply with this requirement. With respect to the retaining wall, he didn't have any information. He looked at the slope and in his view, it didn't appear to be a problem if there was a slight cut into the slope. He didn't think it would be significant enough to warrant a retaining wall, he believed staff had looked at that issue. The power pole relocation had been arranged and was a significant cost. It would cost Mr. Trapp \$6,100 to move the power pole six feet to make the curb cut wide enough to comply with the plan and he had an estimate from Xcel to do the work and was paying to have it done. That would become a compliance issue in terms of having the plan fulfilled. On the issue of landscaping, if you take into account on a pure square footage basis, the entire slope behind the building and part of the property that abuts the neighbor, was all trees. He wasn't sure how that piece figured into the total 20% calculation of the landscaping, but his understanding was that some calculations were made by staff and the determination was that the landscaping requirement had been met. From their point of view, they were doing what they thought they had to do and must do in order to gain approval and they were ready to move ahead. Mr. Trapp was ready to do the work first thing next spring. He would have done it this fall if they had gotten an earlier approval and they were ready to move and go forward.

The public hearing was closed.

President Martin asked Ms. Tollefson to respond to the issues raised about the landscaping and the retaining wall?

Tollefson, staff, replied that she spoke with Houwman Architecture on the retaining wall and on the plans they indicated that the construction of the retaining wall would have to be certified by a structural engineer. Their firm was not qualified to certify that type of work and determine what type of material was necessary at what height. When she spoke with them, she indicated that if the Commission felt strongly about that, she would look for it, but if they wanted it in writing as a condition of approval, the Commission could indicate that plans for the retaining wall needed to be supplied and certified by a structural engineer. That was one of the solutions that she and the architect arrived at for the retaining wall. In terms of the landscaping, the portion of the site that exists behind the building is natural vegetation. That portion of the property is about 45% of the site. Staff used that along with the new proposed landscaping along University as meeting the intent of the site plan review chapter. When you look at the amount of parking that has to be provided on the site and you look at where landscaping is being proposed, this is the best design solution they could come up with in order to get everything accommodated on the site. Some of the landscaping was going into the public right of way which would require an encroachment permit. The other areas of the site were necessary for appropriate and safe maneuvering of vehicles. Regarding the dumpster location, she heard the concern from the neighborhood group about whether to trust if the dumpster would remain inside or not and she built in a condition of approval that if the dumpster was located outside, the applicant would have to come in and modify the site plan to show an appropriate location for the dumpster and show how they would screen the dumpster.

Commissioner Bradley stated that there was a comment on the drawings on the site improvement plan the architect put a note about a new retaining wall construction by a licensed sub contractor including civil/structural plans as required by City Code. The drawing did not show any topographical or grading plans, so he was unsure how steep or shallow the slope was behind it. He thought that issue should be a condition of approval.

Commissioner Hale asked Ms. Tollefson why her staff recommendation was to continue this to the last meeting in January?

Tollefson, staff, indicated that she was not recommending continuing the project, she was recommending approval with conditions. The site improvements need to be done, July 1, 2002.

Commissioner Marsh motioned, Nestingen seconded to adopt the findings prepared by staff and approve the site plan review application for Great Brakes at 3326 University Avenue subject to the following conditions: 1) The proposed landscaping within the public right-of-way will be subject to an encroachment permit from the Department of Public Works. The applicant shall submit the approved encroachment permit to the Planning Department prior to final approval; 2) The applicant is subject to 530.220, specifically an installation and maintenance plan shall be provided for the Landscaping Plan; 3) The proposed lighting is subject to 535.110, 535.590, 541.340 and 541.570; 4) The applicant is subject to 535.70 and 535.80, specifically mechanical equipment shall be screened as required; 5) All dumpsters shall be located within the enclosed portion of the building; 6) The Planning Department shall review and approve the final site and landscaping plans as well as all signage; 7) The applicant shall indicate appropriate areas for snow storage on the final site plan or shall provide a snow removal plan; 8) The applicant is subject to 530.70. If site improvements exceed \$2,000, the applicant shall obtain a performance bond set at 125% of the estimated costs of the improvements by February 24, 2002; 9) Site improvements shall be completed by July 1, 2002, or the permit may be revoked for non-compliance; and, 10) The general contractor or structural engineer shall submit and certify plans for the proposed retaining wall prior to final approval. Carried, Commission Hale abstained.

Minneapolis City Planning Department Report

Site Plan Review
BZZ-369

Date: December 11, 2001

Date Application Deemed Complete: October 29, 2001

End of 60-Day Decision Period: December 28, 2001

Applicant: Great Brakes, Jim Trapp of Mat Properties

Address Of Property: 3326 University Avenue

Contact Person And Phone: Lori Houwman, Houwman Architects 651.631.0200

Planning Staff And Phone: Kimberly Tollefson phone: 612.673.2998
kimberly.tollefson@ci.minneapolis.mn.us (e-mail) fax: 612.673.2526

Ward: 2 **Neighborhood Organization:** Prospect Park / East River Road
Improvement Association

Existing Zoning: C1

Proposed Use: Autobody repair garage

Background: The applicant, Jim Trapp, is the owner of the property at 3326 University Avenue in which there are two tenants, Great Brakes and Four Star Auto. The Licensing Department required that Great Brakes apply for site plan review to conform to the standards of the Zoning Code. The existing business has been operating at this site prior to the 1963 Zoning Code and is considered a legal non-conforming use by the Zoning Administration Office. The applicant never complied with site plan review standards. According to the Zoning Administration Office the applicant is not required to obtain a conditional use permit because the use has legal non-conforming rights.

In February of this year, the applicant received approval for site plan review by the Planning Commission. Since that approval, an appeal was reviewed and denied by the Zoning and Planning Committee. The applicant did not comply with the site plan review condition for obtaining a performance bond. The business operating at this site was closed by the Licensing Department for failure to comply with the site plan review approval. The applicant has again filed for site plan review approval in order to allow the continued operation of an automobile repair use.

Neighborhood Review: Planning received a letter dated November 30, 2001, from Florence Littman of PPERIA. The neighborhood group had several concerns regarding the site plan (please see attached letter). Planning will address these comments throughout the staff report.

Required Findings for Major Site Plan Review

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan. (See Section B Below for Evaluation.)
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND FAÇADE:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building façade shall provide architectural detail and shall contain windows at the ground level or first floor.
- In larger buildings, architectural elements shall be emphasized.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited where visible from a public street or a residence or office residence district.
- Entrances and windows:
 - Residential uses shall be subject to section 530.110 (b) (1).
 - Nonresidential uses shall be subject to section 530.110 (b) (2).
- Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

The existing structure is setback approximately 40 feet from University Avenue, which does not reinforce the street wall. The existing building location requires the parking to be located between the building and the street. The area between the building and the lot lines is proposed to have amenities such as new landscaping, however this landscaping will require an encroachment permit. The existing building has ten service bays, which front on both University Avenue and on the interior side. The principal office entrance is located on University Avenue. The proposed landscaping should not prohibit parking or maneuvering of vehicles on-site.

The building façade, along University Avenue, does not contain windows at eye level and therefore does not maximize visibility nor meet the requirement to have windows on at least 30% of the first floor façade that faces a public street. The exterior materials and appearance of the entire building are not compatible on each façade. Each automobile repair use business has painted their portion of the building differently. The existing structure has two office entrances. Please see attached photos of the facade. The separate business's facades are compatible.

A five-foot setback is required along the west property. The site complies with this setback. A fifteen-foot setback is required for the first 40 feet along University Avenue from the west property line because the adjacent property is zoned OR2. The applicant has met this front yard setback requirement.

To add landscaping along University Avenue, the applicant has proposed landscaping within the city right-of-way. This landscaping is a permitted obstruction however will be subject to an encroachment permit from the Department of Public Works.

The applicant has proposed one freestanding sign of 200 square feet. The existing wall signs total 187.75 square feet. According to Table 543-2 Specific Standards for Signs in the OR2, OR3 and Commercial Districts, a lot zoned C1 is limited to one square foot of signage per one foot of primary building wall if a freestanding is on the same zoning lot. This site does have a freestanding sign and therefore wall signs shall be limited to 195 square feet. The existing building wall signs are within the allowable square feet. According to Table 543-2, only one freestanding sign is permitted per zoning lot. The freestanding sign is limited to one foot of signage per one foot of frontage. Therefore, the freestanding sign is limited to 200 square feet.

ACCESS AND CIRCULATION

- Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.
- Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.
- Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.
- Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.140 (b).

- Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.
- Site plans shall minimize the use of impervious surfaces.

All pedestrian walkways are public sidewalks. The public sidewalk along University Avenue is six feet in width. The applicant is proposing a pedestrian walkway on-site to connect the public sidewalk to the building entrance, which is shown as a minimum of four feet in width. The building has existing lights located along the front façade. The applicant has proposed lights at the rear of the site to increase surveillance. This is especially important due to the parking designated at the rear of the property. Both new and existing lights shall be hooded to prevent shining into adjacent properties.

The number of parking spaces required is 25. The site is accommodating 25 spaces. The applicant has proposed parking along University Avenue, between the building and the public street. Landscaping is proposed to screen the vehicles from University Avenue. The spaces (5) along the west property line will be compact in order to allow safe access to and from the service bays of the building. The remaining spaces are shown at the rear of the site, behind the building.

PPERRIA questioned the proposed width of stall #6 and the location of the sign pole. The stall is dimensioned accurately for width and the sign pole is located outside of the stall strip.

Lastly, in terms of access, the Department of Public Works has responded to the concern regarding access into the site. The site has two curb cuts along University Avenue, one is twenty-four feet in width and the other is only fifteen feet in width. Public Works indicated that the smaller curb cut along University Avenue should be widened to twenty feet. The opening of this curb cut does not impact any parking and should improve ingress and egress. The applicant has indicated on the site plan that the curb cut will be widened to twenty feet.

LANDSCAPING AND SCREENING

- The composition and location of landscaped areas shall complement the scale of the development and its surroundings.
- Not less than twenty (20) percent of the site not occupied by buildings shall be landscaped as specified in section 530.150 (a).
- Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).
- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:
 - A decorative fence.
 - A masonry wall.
 - A hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.160 (b).

- **Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).**
- **The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.**
- **Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.**
- **All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.**
- **All other areas not governed by sections 530.150, 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.220.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.60, as provided in section 530.230.**

General Landscaping Requirements.

The general landscaping and screening requirements of Chapter 530 state that not less than 20% of the site not occupied by buildings shall be landscaped by providing at least one canopy tree for each 1,000 square feet, providing not less than one shrub for each two hundred square feet and that the remainder of the landscaped area shall be covered by grasses, plants, vines, shrubs or trees. Please see attached landscaping plan.

In viewing the Landscaping Plan to be implemented by Great Brakes, the proposed landscaping is approximately 12% of the site minus the building. The proposed landscaping includes the area within the public right-of-way along University Avenue. There is additional, existing vegetation to the rear of the site, behind the building. This area occupies 45% of the site. This area of existing vegetation provides an appropriate transition to the adjacent residential uses that are located behind the subject use. Based on the area of the site not occupied by building, 31 trees and 156 shrubs are required. The applicant has proposed 15 new trees and 118 new shrubs. There are existing trees and shrubs within the vegetated area at the rear of the building. The proposed landscaping meets the intent of the site plan review chapter.

According to 530.190, all other areas not governed by the 530.150, 530.160 and 530.170 and not occupied by buildings, parking and loading or driving facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees. Public sidewalk, interior boulevards, parking and storage area

occupy the rest of site. The mechanical equipment shall be screened as required. The applicant has indicated that the dumpsters will be stored within the interior of the building. The applicant is responsible for returning the dumpster to the building after the waste is hauled off-site. The dumpsters shall not be located outside.

The applicant will be subject to 530.210 (planting material standards) and 530.220 (installation and maintenance of materials). According to 530.220(3), the maintenance and replacement of landscape materials shall be the responsibility of the applicant and/or property owner including the maintenance of any trees planted in the public right-of-way. An installation and maintenance plan shall be provided for the Planting Plan. The applicant should indicate an adequate water supply on the final site plan.

The proposed location for snow storage within the required front yard is prohibited. Snow storage should be located at the rear of the site or removed from the site if adequate space is not available. The applicant shall indicate appropriate areas for snow storage on the final site plan or shall provide a snow removal plan.

The applicant indicated that river rock mulch will be used for ground cover along the front and side landscaping areas. The use of rock for ground cover is prohibited. Appropriate ground cover shall be provided.

Parking and Loading Area Landscaping and Screening Requirements.

According to 530.160, parking and loading areas are required to be landscaped and screened. The proposed parking and loading areas that face a public street, sidewalk or path shall comply with three standards. These standards include landscaping, screening and providing trees.

The applicant has proposed to landscape the parking area from the public street as required by 530.160. The parking area is proposed to be screened as required. Section 530.160 requires that screening be three feet in height and not less than 60% opaque. The applicant has landscaped and screened the parking area from University Avenue in accordance with 530.160 by providing the screening and six trees. The parking lot is proposed to be bounded by 6" x 6" continuous curbing as required by 530.180.

ADDITIONAL STANDARDS

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **Buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260.**
- **Site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally**

designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.

The applicant has not provided the height and illumination of the proposed lighting, however lighting will be subject to 535.110, 535.590, 541.340 and 541.570. There are no historically designated structures on-site.

The applicant has indicated that Xcel will remove and relocate the existing telephone pole (please see attached letter).

Section B: Conformance with Other Zoning Code Provisions/Comprehensive Plan

The site is located in an area designated as both Small-Scale Commercial and Office-Residential by *The Minneapolis Plan*. University Avenue is considered a Community Corridor. Characteristics of Community Corridors identified in the comprehensive plan are as follows:

- Streets that connect two neighborhoods.
- Corridors have a land use pattern that is primarily residential with intermittent commercial uses clustered at intersections in a pattern of nodes.
- Corridor land use and building form exhibit traditional commercial and residential form and massing.

Implementation and policy statements regarding Community Corridors are as follows:

- Require that street design for these corridors preserves and enhances the strong residential character and pedestrian orientation of these streets while maintain the street's capacity to carry current volumes of traffic.
- Support the continued presence of small-scale retail sales and commercial services along Community Corridors.
- Ensure that commercial uses do not negatively impact nearby residential areas.

The use is no longer a permitted use in the C1 district. The Zoning Administration Office has indicated that there are non-conforming use rights. The site with the recommended improvements should be consistent with the following characteristics, implementation and policy statements for the following reasons:

- The existing business is located along University Avenue. University Avenue has other established services, which serve the surrounding area. These uses include gas stations and small retail businesses.
- The existing business has been operating at this location since prior 1982. Continued operation of this business should be supported.
- Through various improvements to the site, which include landscaping, signage and defined parking area, the businesses will lessen any negative impacts on the nearby residential area.

Site Plan Review Recommendation:

The City Planning Department recommends that the City Planning Commission adopt the above findings and approve the site plan review application for Great Brakes at 3326 University Avenue based on the following condition(s) of approval:

1. The proposed landscaping within the public right-of-way will be subject to an encroachment permit from the Department of Public Works. The applicant shall submit the approved encroachment permit to the Planning Department prior to final approval.
2. The applicant is subject to 530.220, specifically an installation and maintenance plan shall be provided for the Landscaping Plan.
3. The proposed lighting is subject to 535.110, 535.590, 541.340 and 541.570.
4. The applicant is subject to 535.70 and 535.80, specifically mechanical equipment shall be screened as required.
5. All dumpsters shall be located within the enclosed portion of the building.
6. The Planning Department shall review and approval the final site and landscaping plans as well as all signage.
7. The applicant shall indicate appropriate areas for snow storage on the final site plan or shall provide a snow removal plan.
8. The applicant is subject to 530.70. If site improvements exceed \$2,000, the applicant shall obtain a performance bond set at 125% of the estimated costs of the improvements by February 24, 2002.
9. Site improvements shall be completed by July 1, 2002, or the permit may be revoked for non-compliance.

Great Brakes 12/11/01 Planning Commission

Application: Site Plan Review
Already reviewed and approved in Feb 2001
Applicant did not comply with conditions of approval
Business was closed
Back in for new approval and opportunity to comply

Location: **Zoning Plate**
3326 University Avenue
C1

Use: Automobile repair garage
Considered legally non-conforming

Improvements: **Site Plan**
Essentially the applicant is now showing all of the elements originally requested by Planning on the site plan.

Previously, the issues to overcome was:

Parking
Landscaping
Access

P.Dept recommends approval with conditions that are standard
Compliance deadline of July 1, 2002

Reason for tightened timeline is that the P.Dept has been working with this site since December of 1999 - two years now

Staff feels that there has been some delay tactics by the owner

Site needs these improvements and has had plenty of time to comply with standards

* h. wall

• Structural Engineer

* Landscaping

• back area

* dumpster

• interior location

• added a condition

* power pole

• owner letter

—
postponed



PPERRIA

Prospect Park and East River Road Improvement Association, Inc.

Post-it* Fax Note	7671	Date	11/30/01	# of Pages	1
To	Ann Tulletson	From	F. Littman		
Co. Dept.	Planning	Co.	PPERRIA		
Phone #	673-2978	Phone #	673-2970		
Fax #	673-2526	Fax #	676-0260		

November 30, 2001

To: Members of the Zoning and Planning Committee
 From: Florence Littman, PPERRIA, Inc. Zoning Committee Co-chair *FL*
 Subject: Great Brakes, 3326 University Avenue SE—Site Plan Review

The Zoning Committee of the Prospect Park East River Road Improvement Association, Inc. (PPERRIA) recommends that the following issues be settled before the site plan is approved.

1. On the plans there is a new retaining wall to be built. There are no plans, no elevations, no structural details, and no notes - there is nothing. The retaining wall could be built out of wood planks.
2. One of the "snow storage" locations is on a landscaped area (it appears that they may be getting double duty out of that area because it is calculated in the landscaping calculations). Snow storage leaves salt, so in the summer nothing will grow there.
3. There is no trash area shown on the plans. There is a note "All trash dumpsters are to be located in interior of the building". This is a joke. When the trash truck shows up to remove the trash it honks - someone wheels out the dumpster - the truck picks it up - the dumpster is rolled back in. But the reality is different. The dumpsters will be left outside with no one in the city to "police" them. The neighborhood will have to complain and complain, and nothing will get changed.
4. There is a relocated telephone pole. That is very expensive, therefore highly unlikely for this project.
5. Parking space #6 contains a pylon sign. Is this space wide enough for parking?
6. Along the front there is 5'-7" of sod and 1'-6" of rock. Along the side there is 2'-0" of sod and 1'-6" of rock. Why this is shown this way?
7. There is a "car turn around" area in the rear. Is this area large enough to allow a car to turn around?
8. There have been no discussions with PPERRIA regarding the sign.

Thank you for the opportunity to comment on this site plan.

★ ★ ★ ★
Four Star Auto Service, Inc.
3324 University Ave. S.E.
Minneapolis, Minn. 55414

Brian Fautch, President

(612) 378-9561
FAX 378-0730

October 17, 2001

Ms Kim Tollefson
Minneapolis Planning Department
350 South 5th Street Room 210
Minneapolis MN 55415

Dear Ms Tollefson ,

I am writing you regarding the business license application to operate a Motor Vehicle Repair Garage made by Wirku Weldegeberiel. His business name is Great Brakes. It's file #BZZ-369.

I operate the business known as Four Star Auto Service, Inc. at 3324 University Ave SE, that is on the same piece of property covered by the site plan review done for Great Brakes.

I am writing to state my support for the application and request that it be granted.

Sincerely,

Brian Fautch

Brian Fautch
President

[illegible][illegible]

423 Third Street SW
New Brighton, NY 11512
(908) 831-0200
fax: 838-8728

HANSEN CONTENDS THAT THE PLAN SPECIFICALLY OBLIGES THE PRESIDENT TO BE AN ELECTOR BY DIRECT ELECTION AND THAT AS A CONSEQUENCE, ANY PARTY WHICH THEN LAIES OFF THE STATE OF MISSISSIPPI

BUILDING OWNER:

MAT
PROPERTIES

3000 W. WASHINGTON AVE
SOUTH ST. PAUL, MN 55072

FAX 47631 785 0744

PRODUCT LOCATION

3324, 3326, & 3334
UNIVERSITY AVE.

ST. PAUL, MN

DATE R.M.	
CITY NETWORK	10-11-98
ACTIVITY IN	6:52:00
BETWEEN 72	10-04-98
CHARGED OFFICERS AND EMPLOYEES	
LIMITED PER CITY LIAISON PLAN 3.12.81	
SERVICES AS	
	10-04-98

JOE#	00226 00 00
DATE	8-23-89
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833 11100 SOCIETY HWY
NEW BEDFORD, MA 05112
(508) 831-0200
FAX 508 8726

1. I AM NOT CLAIMING THAT THIS IS A SPECIFICALLY
2. SUPPORTED THE PROHIBITION ON THE BASIS OF MY DIRECT
3. RESEARCH AND THAT I AM A POLY-ETHNIC
4. AND ETHNIC GROUP THE LIVES OF THE STATE OF
5. MINNESOTA

POLYMER LETTERS

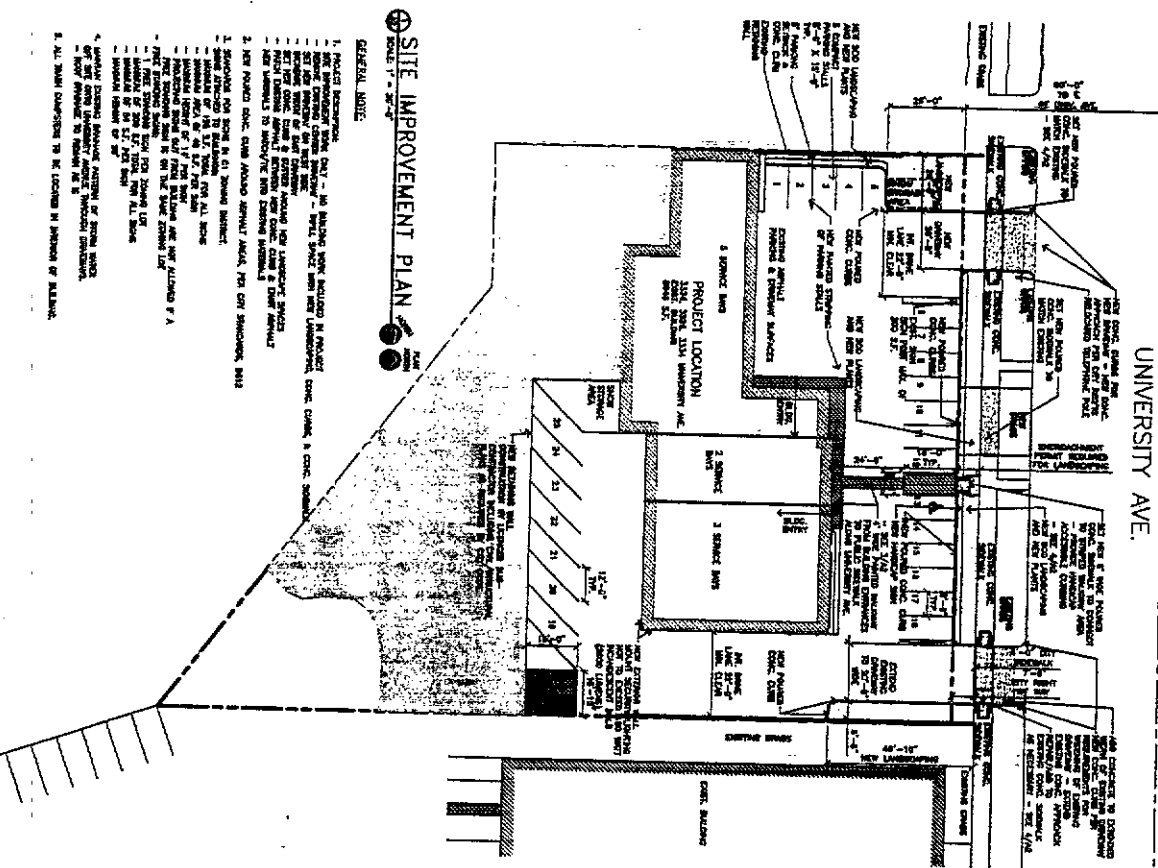
MAT PROPERTIES

424 HARTWELL AVE.
SOUTH ST. FALL, NH 05075
(603) 366-3668
FAX (603) 785-0774

3324, 3326, & 3334
UNIVERSITY AVE.
ST. PAUL, MN

GENERAL NOTE:

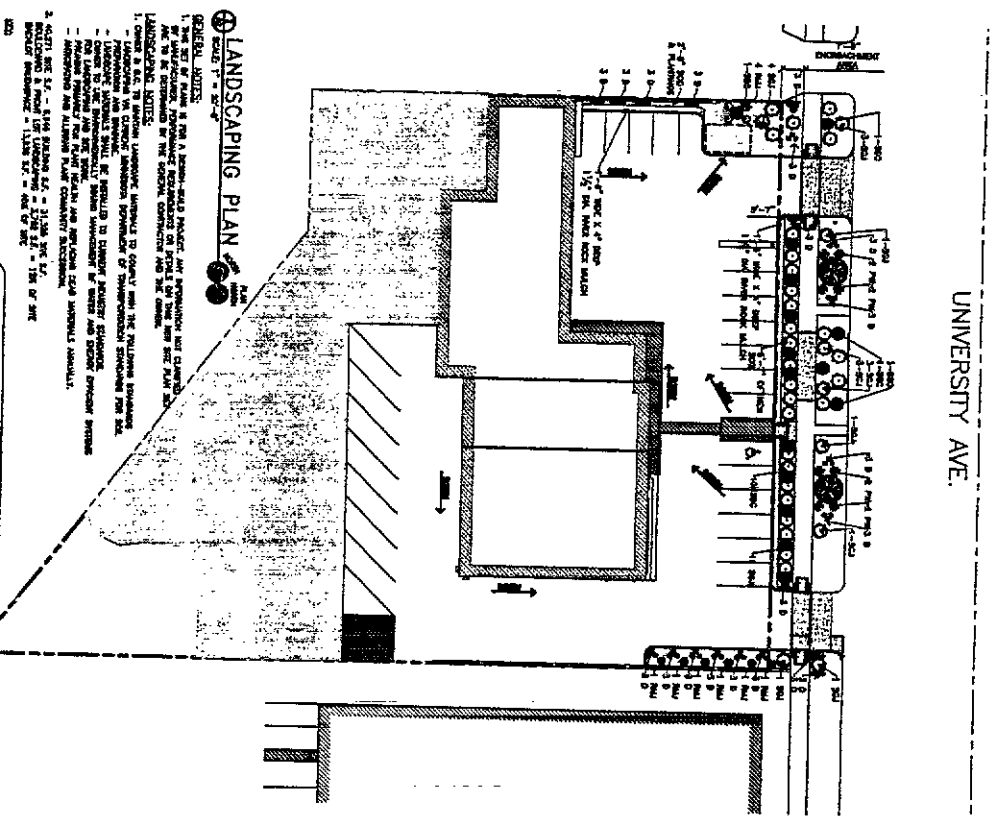
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GENERAL NOTES:

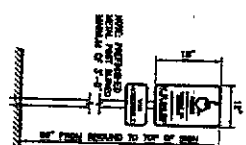
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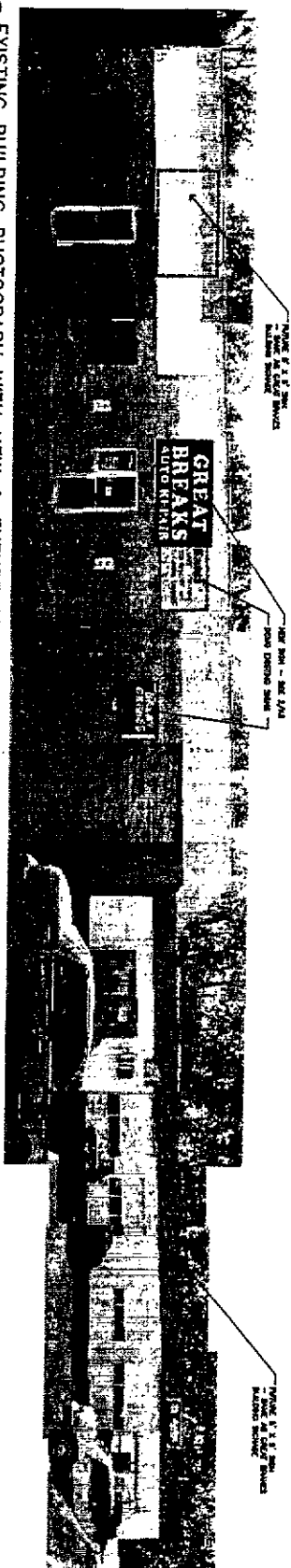
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SCALE 1/4" = 1'-0"

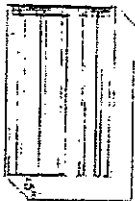
ALLEN
MO. SCOUT





EXISTING BUILDING PHOTOGRAPH WITH NEW & FUTURE BUILDING SIGN LOCATIONS

**GREAT
BREAKS
AUTO REPAIR**



NOTE: ALL SIGNS (FUTURE) SIGN
LOCATIONS WITH NEW SIGNING FOR
THE GREAT BREAKS AUTO REPAIR
BUILDING LOCATED AT 3324 &
3334 UNIVERSITY AVE. ST. PAUL, MN 55105
3450 W. ROYAL AVE.
ST. PAUL, MN 55105

NEW SIGNAGE BY DEMARS SIGN COMPANY

ARCHITECT



HOWMAN
ARCHITECTS
820 THIRD AVENUE, SUITE 1100
ST. PAUL, MN 55102
(612) 611-0000
Fax: (612) 611-0000

THESE DOCUMENTS HAVE BEEN PREPARED BY THE ARCHITECT OR ARCHITECTS AND SHOULD BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. ANY OTHER USE OF THESE DOCUMENTS WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT IS PROHIBITED.

DATE: _____

BY: _____

BUILDING OWNER

MAT
PROPERTIES

434 E. BROADWAY, AVE.
SOUTH ST. PAUL, MN 55105
612.224.2222
FAX: (612) 725.5724

PROJECT LOCATION

3324, 3326, & 3334
UNIVERSITY AVE.
ST. PAUL, MN

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DATE: 00239-00-00
BY: 6/23/99
CHECKED: LK

A3

